

REMARKS

Favorable reconsideration is respectfully requested in view of the following remarks.

I. CLAIM STATUS

At the outset, Applicants note the examination in the Office Action is erroneously based on original claims 1-9, which are no longer pending. Claims 1-9 were cancelled and replaced with new claims 10-28 in the Preliminary Amendment dated June 3, 2005. The June 3, 2005 Preliminary Amendment was entered into the record as evidenced by the attached copy of the USPTO date stamped receipt thereof. Applicants have also attached a printout copy of the available documents for this application from the PTO's online Patent Application Information Retrieval system as further evidence of such.

Thus, claims 10-28 (and not claims 1-9) are currently pending in this application.

Accordingly, the Office Action is defective as the current rejections are over the wrong claims. Thus, the rejections therein are moot.

Nonetheless, it is noted that new claim 10 is based on original claim 1 in combination with original claims 2 and 3 (i.e., the features of original claims 2 and 3 are introduced into original claim 1). Thus, Applicants will address the erroneous rejections and explain why they are not applicable to

certain of the currently pending claims. However, Applicants must point out that certain features of the currently pending claims have not yet been considered by the Office as they were not encompassed by original claims 1-9. Thus, if the next Office Action on the merits includes a new rejection over the currently-pending claims, the Action must be non-final.

II. ANTICIPATION REJECTIONS

Claims 1-2 and 4-8 were rejected under 35 U.S.C. § 102(b) as anticipated by POLICICCHIO (U.S. 6,101,661) for the reasons in item 2 on pages 2-4 of the Office Action.

Claims 1-2 and 4-8 were rejected under 35 U.S.C. § 102(b) as anticipated by POLICICCHIO (U.S. 6,669,391) for the reasons in item 3 on pages 4-7 of the Office Action.

Claims 1-8 were rejected under 35 U.S.C. § 102(b) as anticipated by OHARA (U.S. 6,739,161) for the reasons in item 4 on page 7 of the Office Action.

Again, the above rejections are over the wrong claims, and thus, should be withdrawn. Nonetheless, Applicants respectfully submit the rejections are not applicable to the currently-pending claims.

Again, note new claim 10 is based on original claim 1 in combination with original claims 2 and 3. In the Office Action, claim 3 was rejected over OHARA (U.S. 6,739,161), but not over either POLICICCHIO patent (U.S. 6,101,661 and U.S.

6,669,391). Accordingly, Applicants' arguments below are in relation only to OHARA. In this regard, Applicants respectfully traverse the rejection had it been applied to the currently pending claims.

It is well established that to anticipate a claim, a cited prior art reference must disclose or suggest each and every element of the claimed invention. See, M.P.E.P., Eighth Ed., Rev. 6 (September 2007) at § 2131.

In the instant case, claim 10 recites: "A mold cleaning material of sheet form comprising at least two base sheets, and a combination of a cleaning member and a molding member enclosed between the base sheets; wherein the cleaning member has at least one of a tablet form, a granular form, a powder form, a sheet form, and a plate form, and the molding member is at least one of unvulcanized synthetic rubber and unvulcanized natural rubber."

Applicants respectfully submit that OHARA fails to disclose or suggest each and every element of claim 10, namely, a "cleaning member and a molding member enclosed between the base sheets." In this regard, the cleaning material of OHARA is not one that is enclosed between two base sheets as in the mold cleaning material of claim 10.

Moreover, the cleaning material of OHARA is one designed to scrape away a fine particulate substance, such as toner attached to the surface of a photoconductive drum of an

electrophotographic apparatus; and it is not designed for mold cleaning.

In view of the above, it is clear that the cleaning material of OHARA completely differs from the cleaning material of claim 10 in structure and use.

Thus, OHARA fails to disclose or suggest each and every element of the cleaning material of claim 10. For these reasons, OHARA cannot anticipate claim 10, which is the sole independent claim in this application. Thus, independent claim 10 is novel and patentable over OHARA.

Claims 11-28 depend, either directly or indirectly on claim 10. Thus, the dependent claims are also novel and patentable over OHARA for the same reasons given their dependency on claim 10.

Thus, the above-noted 102(b) rejection over OHARA cannot be applied to the currently-pending claims 10-28.

III. CLAIM OBJECTIONS/ALLOWABLE SUBJECT MATTER

Claim 9 was objected as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

The arguments set forth above explain why the erroneous rejections would have not have applicable to the currently

pending claims. As such, the objection is not applicable to the currently pending claims.

Applicants appreciate the Office's indication of allowable subject matter. Please note claim 9 (now cancelled) corresponds to method claims 16 and 24-28. Thus, it would seem that claims 24-28 are also allowable.

IV. CONCLUSION

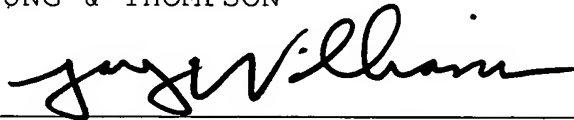
In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance and an early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following items:

- copy of USPTO date stamped receipt copy of the June 3, 2005 Preliminary Amendment
- printout of the available documents for this application from the PTO's online Patent Application Information Retrieval system



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10/537,358

Cleaning material for molding metal die, and cleaning method

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			Specification	28	<input type="checkbox"/>		
			Claims	2	<input type="checkbox"/>		
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			Claims	3	<input type="checkbox"/>		
			Applicant Arguments/Remarks Made in an Amendment	1	<input type="checkbox"/>		
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06-03-2005	FRPR	Foreign Priority Application	16	<input type="checkbox"/>
06-03-2005	FRPR	Certified Copy of Foreign Priority Application	21	<input type="checkbox"/>
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06-03-2005	371P	Documents submitted with 371 Applications	1	<input type="checkbox"/>
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